

## **REMARKS**

In response to the Office Action dated April 13, 2006, Applicant has amended the claims to place them in better condition for allowance. Claim 3 has been cancelled and its elements have been incorporated into presently amended Claim 4. Claim 10, as presently amended, now defines the upper and lower portions of the towel to an orientation commensurate with the specification. It is believed that the current amendments to Claims 1-9 and 10 give sufficient structural definition to the invention and the scope of the claims is now commensurate with the specification and the enabled invention.

It is believed that the Section 112 rejections are now overcome by the instant amendment.

### **Art-Based Rejections**

In paragraphs 8 and 15 of the Office Action, Examiner maintains the prior rejection of Claims 1 and 2 under 35 U.S.C. § 102(b) as being anticipated by Peterson et al. (1,793,243). Although the Applicant respectfully traverses the rejection, in order to expedite prosecution, the Applicant has amended Claim 1 for clarification.

Peterson differs from the present invention because Peterson teaches the slit in a shorter edge of a rectangle. As amended, Claim 1 requires that the slit be in a longer edge, which is structurally distinguished from the short edge and clearly unanticipated by the teaching of Peterson or any of the cited prior art.

Similarly in paragraphs 9-11, Examiner maintains the prior rejection under 35 U.S.C. § 102(b) as being anticipated by Richmond et al. (2,526,505), Farber et al. (3,329,969), and Rowe et al. (3,332,547). None of the prior art references teaches a slit in a longer edge and may be considered cumulative to Peterson. Applicant specifically claims a slit in a longer edge, which is

now unambiguously defined as a side edge by amended claim 1. The Applicant respectfully submits that the foregoing amendments overcome the 35 U.S.C. § 102(b) rejections.

In paragraphs 13, 14, and 17, Examiner maintains the prior rejection of Claims 5 – 14 as being unpatentable under 35 U.S.C. § 103(a) over Peterson et al. in view of Kahn (4,660,225) or Rowe et al. The Applicant respectfully traverses the rejections, and submits that the prior art fails to teach the present invention as claimed in light of the foregoing amendments. As discussed above, the prior art fails to anticipate or teach the placement of the slit in the longer or side edge of the towel. Thus, the prior art does not suggest or anticipate the present invention. Further, there is no teaching in the references that they be combined notwithstanding that the combination, if made, would not result in the claimed invention. Applicant has found a new and useful way to configure a towel and has claimed his discovery.

#### Conclusion

Applicant submits that the presently amended application is now in condition for allowance and such allowance is respectfully solicited. Should the Examiner believe that there are matters relating to this continuation application remaining that can be resolved in a telephone interview, the Examiner is urged to call the Applicants' undersigned attorney.